

Voter and deter  
Vote and deterrence  
Voter and deterrence  
Ballot integrity  
Ballot security  
Ballot security and minority  
Ballot security and black  
Ballot security and African American  
Ballot security and Latino  
Ballot security and Hispanic  
Ballot security and Native American  
Ballot security and Indian  
Vote and suppression  
Minority and vote and suppression  
Black and vote and suppression  
African American and vote and suppression  
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Hispanic and vote and suppression  
Native American and vote and suppression  
Vote and suppress  
Minority and vote and suppress  
African American and vote and suppress  
Latino and vote and suppress  
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Vote and depress  
Jim Crow  
Literacy test  
Voter and harass  
Voter and harassment  
Vote and mail and fraud  
Poll and guards  
Election and consent decree  
Vote and barrier  
Voting and barrier  
Voter and barrier  
Election and long line  
Voter and long line

Poll worker and challenge  
Poll worker and intimidate  
Poll worker and intimidation  
Poll worker and intimidating  
Poll worker and threatening  
Poll worker and abusive  
Election official and challenge  
Election official and intimidate  
Election official and intimidation  
Election official and intimidating  
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Poll watcher and challenge  
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Election observer and challenge  
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Election observer and threatening

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Tova Wang"  
<wang@tcf.org>  
05/15/2006 05:05 PM

To psims@eac.gov  
cc

Subject RE: Fraud Definition

Sounds good. Thanks.

-----Original Message-----

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, May 15, 2006 4:03 PM  
To: wang@tcf.org  
Subject: Re: Fraud Definition

Election and stealing  
Ballot box and tampering  
Ballot box and theft  
Ballot box and stealing  
Election and officers  
Election and Sheriff  
Miscount and votes

00139€

Election and crime  
Election and criminal  
Vote and crime  
Vote and criminal  
Double voting  
Multiple voting  
Dead and voting  
Election and counting and violation  
Election and counting and error  
Vote and counting and violation  
Vote and counting and error  
Voter and intimidation  
Voter and intimidating  
Vote and intimidation  
Denial and voter and registration  
Voter identification  
Vote and identification  
Voter and racial profiling  
Vote and racial profiling  
Voter and racial  
Vote and racial  
Voter and racial and challenge  
Vote and racial and challenge  
Voter and deny and racial  
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Voter and deny and African American  
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Election and black and challenge  
Election and African American and challenge  
Voter and deny and Hispanic  
Voter and deny and Latino  
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Vote and challenge  
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Vote and law enforcement  
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Vote and deceptive practices  
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Voter and false information  
Dirty tricks  
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Law and election and manipulation  
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Vote and purge

Registration and removal  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV  
05/16/2006 03:37 PM

To "Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL  
cc

Subject RE: Your Materials 

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>  
05/16/2006 03:17 PM

To psims@eac.gov  
cc  
Subject RE: Your Materials

Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

---

001401

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 3:14 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

Topsims@eac.gov  
cc  
SubjectRE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to bring - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concern is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 2:47 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries

001402

represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, *if any*, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

Topsims@eac.gov  
cc  
Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 12:34 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

001406

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov  
cc  
SubjectRE: Your Materials

Thank you, Peg. This stuff is very interesting.

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 11:27 AM  
**To:** Donsanto, Craig  
**Subject:** Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

001404

05/16/2006 10:46 AM

Topsims@eac.gov  
cc  
SubjectYour Materials

Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ——

Margaret Sims/EAC/GOV

05/15/2006 03:51 PM

To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman

001405

cc twilkey@eac.gov, jthompson@eac.gov, Gavin S.  
Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J.  
Sherrill/EAC/GOV@EAC, Adam Ambrogio/EAC/GOV@EAC,  
Elieen L. Collver/EAC/GOV@EAC, Sheila A.  
Banks/EAC/GOV@EAC  
Subject Voting Fraud-Voter Intimidation Project Briefing

Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it. prior to tomorrow's briefing.

Peggy Sims  
Election Research Specialist



Literature-Report Review Summary.doc

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM —



"Tova Wang"  
<wang@tcf.org>

05/16/2006 11:03 AM

To psims@eac.gov, serebrov@sbcglobal.net

cc

Subject RE: Your Materials

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

-----Original Message-----

**From:** psims@eac.gov [mailto:psims@eac.gov]

**Sent:** Tuesday, May 16, 2006 9:59 AM

**To:** wang@tcf.org; serebrov@sbcglobal.net

**Subject:** Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

— Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM —

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

To psims@eac.gov

cc

Subject Your Materials

001406

Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Donsanto, Craig"

<Craig.Donsanto@usdoj.gov

>

05/19/2006 03:17 PM

To psims@eac.gov

cc "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>

Subject Re: Voting Fraud-Voter Intimidation Project-Nexis Word Search

Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

-----  
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----

From: psims@eac.gov <psims@eac.gov>

To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>

Sent: Fri May 19 14:51:21 2006

Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search

001407

Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud  
Voter and fraud  
Vote and fraud  
Voter and challenge  
Vote and challenge  
Election and challenge  
Election and irregularity  
Election and irregularities  
Election and violation  
Election and stealing  
Ballot box and tampering  
Ballot box and theft  
Ballot box and stealing  
Election and officers  
Election and Sheriff  
Miscount and votes  
Election and crime  
Election and criminal  
Vote and crime  
Vote and criminal  
Double voting  
Multiple voting  
Dead and voting  
Election and counting and violation  
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Voter and intimidation  
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Election and African American and challenge  
Voter and deny and Hispanic  
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001408

Vote and deny and Latino  
Voter and Hispanic and challenge  
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Vote and Hispanic and challenge  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Tova Wang"  
<wang@tcf.org>  
05/15/2006 05:05 PM

To psims@eac.gov  
cc

Subject RE: Fraud Definition

Sounds good. Thanks.

-----Original Message-----

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, May 15, 2006 4:03 PM  
To: wang@tcf.org  
Subject: Re: Fraud Definition  
Election and stealing

001411

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Ballot box and theft  
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001412

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Vote and ex-felon  
Disenfranchisement  
Disenfranchise  
Law and election and manipulation  
Vote and purging  
Vote and purge  
Registration and removal  
Registration and purging  
Registration and purge  
Vote buying  
Vote and noncitizen  
Voter and noncitizen  
Vote and selective enforcement  
Identification and selective  
Election and misinformation  
Registration and restrictions  
Election and administrator and fraud  
Election and official and fraud  
Provisional ballot and deny  
Provisional ballot and denial  
Affidavit ballot and deny  
Affidavit ballot and denial  
Absentee ballot and coerce  
Absentee ballot and coercion  
Registration and destruction  
Voter and deter  
Vote and deterrence  
Voter and deterrence  
Ballot integrity  
Ballot security  
Ballot security and minority  
Ballot security and black  
Ballot security and African American  
Ballot security and Latino  
Ballot security and Hispanic  
Ballot security and Native American  
Ballot security and Indian  
Vote and suppression  
Minority and vote and suppression  
Black and vote and suppression  
African American and vote and suppression  
Latino and vote and suppression  
Hispanic and vote and suppression  
Native American and vote and suppression  
Vote and suppress

Minority and vote and suppress  
African American and vote and suppress  
Latino and vote and suppress  
Native American and vote and suppress  
Vote and depress  
Jim Crow  
Literacy test  
Voter and harass  
Voter and harassment  
Vote and mail and fraud  
Poll and guards  
Election and consent decree  
Vote and barrier  
Voting and barrier  
Voter and barrier  
Election and long line  
Voter and long line

Poll worker and challenge  
Poll worker and intimidate  
Poll worker and intimidation  
Poll worker and intimidating  
Poll worker and threatening  
Poll worker and abusive  
Election official and challenge  
Election official and intimidate  
Election official and intimidation  
Election official and intimidating  
Election official and threatening  
Election official and abusive  
Poll watcher and challenge  
Poll watcher and intimidate  
Poll watcher and intimidating  
Poll watcher and intimidation  
Poll watcher and abusive  
Poll watcher and threatening  
Poll inspector and challenge  
Poll inspector and intimidate  
Poll inspector and intimidating  
Poll inspector and intimidation  
Poll inspector and abusive  
Poll inspector and threatening  
Poll judge and challenge  
Poll judge and intimidate  
Poll judge and intimidating

Poll judge and intimidation  
Poll judge and abusive  
Poll judge and threatening  
Poll monitor and challenge  
Poll monitor and intimidate  
Poll monitor and intimidating  
Poll monitor and intimidation  
Poll monitor and abusive  
Poll monitor and threatening  
Election judge and challenge  
Election judge and intimidate  
Election judge and intimidating  
Election judge and intimidation  
Election judge and abusive  
Election judge and threatening  
Election monitor and challenge  
Election monitor and intimidate  
Election monitor and intimidating  
Election monitor and intimidation  
Election monitor and abusive  
Election monitor and threatening  
Election observer and challenge  
Election observer and intimidate  
Election observer and intimidating  
Election observer and intimidation  
Election observer and abusive  
Election observer and threatening

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----


Margaret Sims/EAC/GOV

05/16/2006 03:37 PM

To "Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL

cc

Subject RE: Your Materials 

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>

>

05/16/2006 03:17 PM

To psims@eac.gov

cc

Subject RE: Your Materials

001416

Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 3:14 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

Topsims@eac.gov  
cc  
SubjectRE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to bring - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concern is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 2:47 PM

001417

**To:** Donsanto, Craig  
**Subject:** RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, *if any*, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

Topsims@eac.gov  
cc  
Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, May 16, 2006 12:34 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Your Materials

001416

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov

cc

SubjectRE: Your Materials

Thank you, Peg. This stuff is very interesting.

---

**From:** psims@eac.gov [mailto:psims@eac.gov]

**Sent:** Tuesday, May 16, 2006 11:27 AM

**To:** Donsanto, Craig

**Subject:** Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution

001419

at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

Topsims@eac.gov  
cc  
SubjectYour Materials

Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in

001420

New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV

05/15/2006 03:51 PM

To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman

cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Elieen L. Collver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC

Subject Voting Fraud-Voter Intimidation Project Briefing

Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it. prior to tomorrow's briefing.

Peggy Sims  
Election Research Specialist



Literature-Report Review Summary.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Tova Wang"  
<wang@tcf.org>

05/16/2006 11:03 AM

To psims@eac.gov [REDACTED]

cc

Subject RE: Your Materials

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

-----Original Message-----

**From:** psims@eac.gov [mailto:psims@eac.gov]

**Sent:** Tuesday, May 16, 2006 9:59 AM

**To:** wang@tcf.org; serebrov@sbcglobal.net

**Subject:** Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM -----

001421

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

To psims@eac.gov  
cc  
Subject Your Materials

Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>

05/19/2006 03:17 PM

To psims@eac.gov  
cc "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>  
Subject Re: Voting Fraud-Voter Intimidation Project-Nexis Word Search

Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

-----  
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

001422

-----Original Message-----

From: psims@eac.gov <psims@eac.gov>

To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>

Sent: Fri May 19 14:51:21 2006

Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search

Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud  
Voter and fraud  
Vote and fraud  
Voter and challenge  
Vote and challenge  
Election and challenge  
Election and irregularity  
Election and irregularities  
Election and violation  
Election and stealing  
Ballot box and tampering  
Ballot box and theft  
Ballot box and stealing  
Election and officers  
Election and Sheriff  
Miscount and votes  
Election and crime  
Election and criminal  
Vote and crime  
Vote and criminal  
Double voting  
Multiple voting  
Dead and voting  
Election and counting and violation  
Election and counting and error  
Vote and counting and violation  
Vote and counting and error  
Voter and intimidation  
Voter and intimidating  
Vote and intimidation  
Denial and voter and registration  
Voter identification  
Vote and identification  
Voter and racial profiling  
Vote and racial profiling  
Voter and racial  
Vote and racial  
Voter and racial and challenge  
Vote and racial and challenge  
Voter and deny and racial  
Vote and deny and racial  
Voter and deny and challenge  
Vote and deny and challenge  
Voter and deny and black  
Vote and deny and black  
Voter and black and challenge  
Vote and black and challenge

Voter and deny and African American  
Vote and deny and African American  
Voter and African American and challenge  
Vote and African American and challenge  
Election and black and challenge  
Election and African American and challenge  
Voter and deny and Hispanic  
Voter and deny and Latino  
Vote and deny and Hispanic  
Vote and deny and Latino  
Voter and Hispanic and challenge  
Voter and Latino and challenge  
Vote and Hispanic and challenge  
Vote and Latino and challenge  
Election and Hispanic and challenge  
Election and Latino and challenge  
Voter and deny and Native American  
Vote and deny and Native American  
Voter and Native American and challenge  
Vote and Native American and challenge  
Election and Native American and challenge  
Voter and deny and Asian American  
Vote and deny and Asian American  
Voter and Asian American and challenge  
Vote and Asian American and challenge  
Voter and Asian American and challenge  
Election and Asian American and challenge  
Voter and deny and Indian  
Vote and deny and Indian  
Voter and Indian and challenge  
Vote and Indian and challenge  
Election and Indian and challenge  
Poll tax  
Voting and test  
Absentee ballot and deny  
Absentee ballot and reject  
Absentee ballot and challenge  
Vote and challenge  
Voter and challenge  
Election and challenge  
Vote and police  
Voter and police  
Poll and police  
Vote and law enforcement  
Voter and law enforcement  
Poll and law enforcement  
Vote and deceptive practices  
Voter and deceptive practices  
Election and deceptive practices  
Voter and deceive  
Voter and false information  
Dirty tricks  
Vote and felon  
Vote and ex-felon  
Disenfranchisement  
Disenfranchise  
Law and election and manipulation  
Vote and purging  
Vote and purge  
Registration and removal  
Registration and purging

Registration and purge  
Vote buying  
Vote and noncitizen  
Voter and noncitizen  
Vote and selective enforcement  
Identification and selective  
Election and misinformation  
Registration and restrictions  
Election and administrator and fraud  
Election and official and fraud  
Provisional ballot and deny  
Provisional ballot and denial  
Affidavit ballot and deny  
Affidavit ballot and denial  
Absentee ballot and coerce  
Absentee ballot and coercion  
Registration and destruction  
Voter and deter  
Vote and deterrence  
Voter and deterrence  
Ballot integrity  
Ballot security  
Ballot security and minority  
Ballot security and black  
Ballot security and African American  
Ballot security and Latino  
Ballot security and Hispanic  
Ballot security and Native American  
Ballot security and Indian  
Vote and suppression  
Minority and vote and suppression  
Black and vote and suppression  
African American and vote and suppression  
Latino and vote and suppression  
Hispanic and vote and suppression  
Native American and vote and suppression  
Vote and suppress  
Minority and vote and suppress  
African American and vote and suppress  
Latino and vote and suppress  
Native American and vote and suppress  
Vote and depress  
Jim Crow  
Literacy test  
Voter and harass  
Voter and harassment  
Vote and mail and fraud  
Poll and guards  
Election and consent decree  
Vote and barrier  
Voting and barrier  
Voter and barrier  
Election and long line  
Voter and long line  
  
Poll worker and challenge  
Poll worker and intimidate  
Poll worker and intimidation  
Poll worker and intimidating  
Poll worker and threatening  
Poll worker and abusive

Election official and challenge  
Election official and intimidate  
Election official and intimidation  
Election official and intimidating  
Election official and threatening  
Election official and abusive  
Poll watcher and challenge  
Poll watcher and intimidate  
Poll watcher and intimidating  
Poll watcher and intimidation  
Poll watcher and abusive  
Poll watcher and threatening  
Poll inspector and challenge  
Poll inspector and intimidate  
Poll inspector and intimidating  
Poll inspector and intimidation  
Poll inspector and abusive  
Poll inspector and threatening  
Poll judge and challenge  
Poll judge and intimidate  
Poll judge and intimidating  
Poll judge and intimidation  
Poll judge and abusive  
Poll judge and threatening  
Poll monitor and challenge  
Poll monitor and intimidate  
Poll monitor and intimidating  
Poll monitor and intimidation  
Poll monitor and abusive  
Poll monitor and threatening  
Election judge and challenge  
Election judge and intimidate  
Election judge and intimidating  
Election judge and intimidation  
Election judge and abusive  
Election judge and threatening  
Election monitor and challenge  
Election monitor and intimidate  
Election monitor and intimidating  
Election monitor and intimidation  
Election monitor and abusive  
Election monitor and threatening  
Election observer and challenge  
Election observer and intimidate  
Election observer and intimidating  
Election observer and intimidation  
Election observer and abusive  
Election observer and threatening

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Tova Wang"  
<wang@tcf.org>

05/15/2006 05:05 PM

To psims@eac.gov

cc

Subject RE: Fraud Definition

001426

Sounds good. Thanks.

-----Original Message-----

From: psims@eac.gov [mailto:psims@eac.gov]

Sent: Monday, May 15, 2006 4:03 PM

To: wang@tcf.org

Subject: Re: Fraud Definition

Tova:

We can certainly discuss this at the Working Group meeting. (The draft definition had already been sent out by the time I read your message.) There may be other VRA provisions that should be considered as well, such as the prohibition on removing the names of certain registrants, who were registered by federal examiners, without obtaining prior approval of the Justice Department.

After I received your email, I asked Barry Weinberg to review the draft definition and consider if we have left off examples of Voting Rights Act violations that would qualify as election fraud. Barry, during his 25 years with DOJ, led aggressive action against attempts to place police at the polls to intimidate voters, challenges targeting minorities, failure to provide election materials and assistance in languages other than English (in covered jurisdictions), etc. His input should prove helpful. --- Peggy

wang@tcf.org

05/12/2006 09:48  
PM

psims@eac.gov

To

cc

Subject

Re: Fraud Definition

How about specifying Section 2 and 203 of the VRA?

----- Original Message -----

From: psims@eac.gov

To: wang@tcf.org

Sent: Friday, May 12, 2006 1:34 PM

Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures

001427

is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang" <wang@tcf.org>

05/12/2006 12:45 PM

psims@eac.gov,

To

cc

Subject

RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act" -----Original Message-----

From: psims@eac.gov [mailto:psims@eac.gov]

Sent: Friday, May 12, 2006 9:20 AM

To: wang@tcf.org; serebrov@sbcglobal.net

Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV

05/17/2006 09:56 AM

To Craig Donsanto

cc

Subject Report on Voting Fraud-Voter Intimidation Research

001428

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV

05/15/2006 01:09 PM

To "Tova Wang" <wang@tcf.org>@GSAEXTERNAL

cc

Subject Re: Thursday

No problem. I've got the conference room reserved from Noon to 6 PM, so you can come earlier. --- Peggy

"Tova Wang" <wang@tcf.org>



"Tova Wang"  
<wang@tcf.org>

05/15/2006 11:36 AM

To psims@eac.gov

cc

Subject thursday

Is it OK if I come around 12:30 or so to make sure I have all my materials arranged properly for presentation? Thanks.

**Tova Andrea Wang**

Democracy Fellow

**The Century Foundation**

41 East 70th Street - New York, NY 10021

phone: 212-452-7704 fax: 212-535-7534

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[Click here](#) to receive our weekly e-mail updates.

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ——



"Tova Wang"  
<wang@tcf.org>  
06/01/2006 03:04 PM

To psims@eac.gov  
cc  
Subject RE: Travel Reimbursement

I did not realize that I had to itemize the per diem, so yes, that was an oversight. There was a \$5 service charge. I will forward you the documentation on that. Thanks so much. Tova

-----Original Message-----

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Thursday, June 01, 2006 1:50 PM  
**To:** wang@tcf.org  
**Subject:** Travel Reimbursement

Tova:

In reviewing your travel reimbursement request that arrived in my In box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of \$160 in per diem for the trip ( \$48 for Wednesday 5/17, \$64 for Thursday 5/18, and \$48 for Friday 5/19). Also, the airfare receipt shows a total charge of \$288.60, but the amount you requested for airfare was \$293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ——



"Craig C. Donsanto"  
<cdonsanto@yahoo.com>  
05/30/2006 11:02 PM

To "peggy sims" <psims@eac.gov>  
cc  
Subject Fwd: Re: Article to your secondary e-mail address

--- "Craig C. Donsanto" <[REDACTED]> wrote:

> Date: Tue, 30 May 2006 19:57:36 -0700 (PDT)  
> From: "Craig C. Donsanto" <[REDACTED]>  
> Subject: Re: Article to your secondary e-mail  
> address  
> To: "Elliott, Michael (LA) (IC)"  
> <Michael.Elliott@ic.fbi.gov>  
>  
> Mike - -  
>  
> As we say back where I come from: this article is  
> "wicked pissah"!  
>  
> The woman mentioned in this piece towards the end  
> has

001430

<http://thehill.com/thehill/export/TheHill/News/Frontpage/052506/news4.ht>

>  
>  
> Do You Yahoo!?  
> Tired of spam? Yahoo! Mail has the best spam  
> protection around  
> <http://mail.yahoo.com>  
>

Craig C. Donsanto  
cdonsanto@yahoo.com

---

Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----



"Tova Wang"  
<[wang@tcf.org](mailto:wang@tcf.org)>

06/01/2006 03:04 PM

To [psims@eac.gov](mailto:psims@eac.gov)  
cc

Subject FW: Expedia travel confirmation - Washington, DC - May 17,  
2006 - (Itin# 116272039590)

-----Original Message-----

**From:** [travel@expedia.com](mailto:travel@expedia.com) [<mailto:travel@expedia.com>]

**Sent:** Tuesday, May 09, 2006 4:55 PM

**To:** [wang@tcf.org](mailto:wang@tcf.org)

**Subject:** Expedia travel confirmation - Washington, DC - May 17, 2006 - (Itin# 116272039590)

## Travel Confirmation

Thank you for booking your trip with Expedia.com. [View this itinerary online](#) for the most up-to-date information. Our [interactive demo](#) can show you how easy it is to get information about your itinerary.

Need a hotel or a car or an activity or service in Washington DC? Here are some options we've found for you.

[Connecticut Avenue Days Inn](#) **\$666.00** per night  
[Renaissance Mayflower Hotel](#) **\$459.00** per night  
[Comfort Inn Largo/Fed Ex Field](#) **\$96.00** per night  
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## Booked items

001432

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— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM —



"Job Serebrov"

05/31/2006 01:34 PM

To psims@eac.gov

cc

Subject Re: Working Group Notes

Peggy:

I will not be home from Las Vegas until Saturday. I was given an offer for a career clerking position with a federal judge and accepted. I will be relocating in December.

Job

*psims@eac.gov* wrote:

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

"Tova Wang" <wang@tcf.org>

05/31/2006 11:26 AM

To psims@eac.gov

cc

Subject notes

Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff?

001433

Thanks. Tova

Tova Andrea Wang

Democracy Fellow

**The Century Foundation**

41 East 70th Street - New York, NY 10021

phone: 212-452-7704 fax: 212-535-7534

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM —



"Tova Wang"

<wang@tcf.org>

05/31/2006 01:50 PM

To psims@eac.gov

cc [REDACTED]

Subject RE: Working Group Notes

Peg, I'm sorry, but this is really not helpful. Its another outline. I guess we have to wait for the transcript. I wish now I had taken notes myself! Thanks anyway. Tova

-----Original Message-----

**From:** psims@eac.gov [mailto:psims@eac.gov]

**Sent:** Wednesday, May 31, 2006 12:31 PM

**To:** wang@tcf.org

**Cc:** se [REDACTED]

**Subject:** Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

"Tova Wang" <wang@tcf.org>

05/31/2006 11:26 AM

To psims@eac.gov

cc

Subject notes

001434

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)  
[wendy.weiser@nyu.edu](mailto:wendy.weiser@nyu.edu)


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV

10/11/2006 03:21 PM

To Thomas R. Wilkey/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC, Karen  
Lynn-Dyson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center 

Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.


Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV

10/11/2006 11:42 AM

To Bryan Whitener/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center 

Both of these reports are draft reports to the EAC and are currently being reviewed by staff.  
While we have released some of the data tables that Eagleton neither of these reports can be released.

-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

From: Bryan Whitener

Sent: 10/11/2006 11:34 AM

007700

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)  
[wendy.weiser@nyu.edu](mailto:wendy.weiser@nyu.edu)


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV

10/11/2006 03:21 PM

To Thomas R. Wilkey/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC, Karen  
Lynn-Dyson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center 

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Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.


Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV

10/11/2006 11:42 AM

To Bryan Whitener/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center 

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While we have released some of the data tables that Eagleton neither of these reports can be released.

-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

From: Bryan Whitener

Sent: 10/11/2006 11:34 AM

001410

To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

— Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM —



"Wendy Weiser"  
<wendy.weiser@nyu.edu>  
10/11/2006 10:57 AM

To bwhitener@eac.gov  
cc  
Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)  
[wendy.weiser@nyu.edu](mailto:wendy.weiser@nyu.edu)

001441

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

08/22/2006 02:09 PM

To "Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL

cc

Subject RE: Does EAC have access to stats on -- 

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>

To psims@eac.gov

cc

08/22/2006 01:54 PM

Subject RE: Does EAC have access to stats on --

Peggy -- I can take whatever you got!!! What does the data you got show?

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, August 22, 2006 1:53 PM  
**To:** Donsanto, Craig  
**Subject:** Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

001442

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To psims@eac.gov, bhancock@eac.gov  
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy"  
<Nancy.Simmons@usdoj.gov>  
Subject Does EAC have access to stats on --


-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/11/2006 02:37 PM


To Jeannie Layson/EAC/GOV@EAC  
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov  
Subject Re: Voting Fraud-Voter Intimidation Report 

The answer is tricky. The working group met *after the written report was submitted* for the board meetings, but *before the status report was formally presented* (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 02:27 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud-Voter Intimidation Report 

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov  
Margaret Sims/EAC/GOV


001443

Margaret Sims/EAC/GOV

10/11/2006 02:26 PM

To Jeannie Layson/EAC/GOV@EAC

cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Report 

The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy


Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 02:06 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report 

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/13/2006 01:33 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Funding 

Peggy,

Could you give Jeannie a call she needs some help fashioning a statment regarding the USA Today article since Tova and Job are hoping mad

Thanks

-----  
Sent from my BlackBerry Wireless Handheld

001444

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 10/13/2006 01:30 PM  
**To:** Thomas Wilkey; Diana Scott  
**Cc:** Edgardo Cortes; Bola Olu  
**Subject:** Fw: Funding

FYI.

----- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 01:22 PM -----

"Carrera, James A [REDACTED]"

10/10/2006 12:35 PM

To psims@eac.gov  
cc  
Subject Funding

Peggy,

As noted in our recent status report, 75 percent of contract funding has been reached. The attached is submitted in accordance with the contract requirements.

If you have any questions please contact me.

Regards,  
Jim

James Carrera / KPMG LLP / [REDACTED] / 703 286-8106 (office) / 202 390-2781 (cell) / 703 995-0325 (fax) /

\*\*\*\*\*  
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\*\*\*\*\*

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

09/27/2006 12:51 PM

To Bryan Whitener

cc Juliet E. Hodgkins/EAC/GOV@EAC, Karen

001443

Lynn-Dyson/EAC/GOV@EAC  
Subject Status Report on Voting Fraud-Voter Intimidation Study

Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy



EAC Boards VF-VI Status Report.doc


--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV

10/12/2006 04:20 PM

To Thomas R. Wilkey/EAC/GOV@EAC

cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

Subject Re: Brennan Center letter 

Who is signing the letter?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Thomas R. Wilkey/EAC/GOV

10/12/2006 04:27 PM

To Jeannie Layson/EAC/GOV@EAC

cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

Subject Re: Brennan Center letter 

I will IF they sign off on it

001446

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005  
(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

10/12/2006 04:20 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov, klynndyson@eac.gov, psims@eac.gov  
Subject Re: Brennan Center letter Link

Who is signing the letter?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 04:14 PM

To twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov,  
ggilmour@eac.gov  
cc

Subject Fw: reporter - Art Levine, Salon.com

See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----  
Bryan Whitener/EAC/GOV

001447

10/12/2006 04:09 PM

To Jeannie Layson/EAC/GOV@EAC  
cc  
Subject reporter - Art Levine, Salon.com

Art Levine  
Salon.com

[REDACTED]  
202.248.9320  
deadline today or tomorrow

What exactly is the document USA Today refers to ?  
Is it a report or just a staff document ?  
Can I get full report submitted by Tova Wang ?  
If not, why not ?

FYI  
Google search shows this on the DLC website  
[http://www.dlc.org/ndol\\_ci.cfm?kaid=139&subid=275&contentid=253439](http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439)

Art Levine  
Senior Fellow  
Progressive Poliy Institute  
3003 Van Ness St. NW, Apt. W-516  
Washington, D.C. 20008  
(202) 248-9320  
artslevine@yahoo.com

Also,

#### Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News  
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

001448

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the \$15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 10:59 AM

To Thomas.Hicks@mail.house.gov

cc

Subject Research update

Tom,

Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) VF-VI Study Status 5-17-06.pdf

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 05:26 PM

To ghillman@eac.gov, pdegregorio@eac.gov,  
ddavidson@eac.gov

cc twilkey@eac.gov, jthompson@eac.gov, ggilmour@eac.gov,  
psims@eac.gov, klynndyson@eac.gov, bwhitener@eac.gov

Subject FOR YOUR APPROVAL

Commissioners,

Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that I

001448

suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brendan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>  
08/22/2006 02:44 PM

To "Campbell, Benton" <Benton.Campbell@usdoj.gov>,  
"Simmons, Nancy" <Nancy.Simmons@usdoj.gov>  
cc psims@eac.gov

Subject FW: Does EAC have access to stats on --

Ben - -

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go - - which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high

001450

profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particularly vote buying - - for various reasons - - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - - through the U.S. Attorney at that time - -with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

**To:** "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

**Subject:** RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM

To psims@eac.gov  
cc

Subject RE: Does EAC have access to stats on --

001451

Peggy - - I can take whatever you got!!! What does the data you got show?

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, August 22, 2006 1:53 PM  
**To:** Donsanto, Craig  
**Subject:** Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To psims@eac.gov, bhancock@eac.gov  
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy"  
<Nancy.Simmons@usdoj.gov>  
Subje Does EAC have access to stats on --  
ct

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Tova Wang"  
<wang@tcf.org>  
10/03/2006 10:41 AM

To "Ambrogi, Adam (Rules)"  
<Adam\_Ambrogi@rules.senate.gov>, psims@eac.gov  
cc  
Subject RE: Chapin Survey

001452

Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow  
**The Century Foundation**  
1333 H Street, NW, Washington, D.C. 20005

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

---

**From:** Ambrogi, Adam (Rules) [mailto:Adam\_Ambrogi@rules.senate.gov]  
**Sent:** Monday, October 02, 2006 11:39 AM  
**To:** psims@eac.gov; wang@tcf.org  
**Subject:** Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, Doug Chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,  
Adam

---

Adam D. Ambrogi  
Democratic Professional Staff Member  
Senate Committee on Rules and Administration  
Russell Senate Office Building, Room 479  
Washington, D.C. 20510  
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/13/2006 04:40 PM

To Jeannie Layson/EAC/GOV

cc twilkey@eac.gov

Subject Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)

001453

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 04:37 PM ---



"Job Serebrov"

10/13/2006 03:26 PM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This

001454

document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/13/2006 04:11 PM

To psims@eac.gov

cc

Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/11/2006 08:22 AM

To pdegregorio@eac.gov, ghillman@eac.gov,  
ddavidson@eac.gov

cc twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov,  
bwhitener@eac.gov

Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.

001455

Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

## Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET

By Richard Wolf, USA TODAY

WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.

USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

### **NEW LAWS: Thousands of voters shut out**

At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.

The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.

The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.

Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.

Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.

That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."

The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW

001450

Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —



Gracia Hillman/EAC/GOV

10/11/2006 09:54 AM

To Jeannie Layson/EAC/GOV@EAC

cc bwhitener@eac.gov, ddavidson@eac.gov,  
jthompson@eac.gov, pdegregorio@eac.gov,  
psims@eac.gov, twilkey@eac.gov

Subject Re: USA Today

The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —

Thomas R. Wilkey/EAC/GOV

09/22/2006 05:17 PM

To Bryan Whitener/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC, Gavin S.  
Gilmour/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC

Subject Re: Media request - USA Today

My initial reaction is that both reports are currently under review by EAC staff.  
I will entertain other thoughts but that is pretty much the what is the situation right now.  
Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed.  
As a matter of fact the report from our consultants on Voter fraud and Intimaation has not been forwarded by staff to the Commissioers but Peg will need to weigh in on that.

-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

**From:** Bryan Whitener

**Sent:** 09/22/2006 05:10 PM

**To:** Margaret Sims; Karen Lynn-Dyson; Thomas Wilkey; Juliet Hodgkins; Gavin Gilmour

**Cc:** Jeannie Layson

**Subject:** Media request - USA Today

001457

All

Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide .

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,  
Bryan

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/12/2006 04:19 PM

To Jeannie Layson/EAC/GOV@EAC

cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

Subject Re: Brennan Center letter 

I like this..it needs to go to the 3 C's for review and approval.

We also need to be prepared as to what happens when they receive it.

Thanks for your help.

Tom

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005  
(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

001468

10/12/2006 04:08 PM

To [twilkey@eac.gov](mailto:twilkey@eac.gov)  
cc [jthompson@eac.gov](mailto:jthompson@eac.gov), [ggilmour@eac.gov](mailto:ggilmour@eac.gov), [klynndyson@eac.gov](mailto:klynndyson@eac.gov), [psims@eac.gov](mailto:psims@eac.gov)  
Subject Brennan Center letter

Tom,  
A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

09/25/2006 12:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, [twilkey@eac.gov](mailto:twilkey@eac.gov)

cc Karen Lynn-Dyson/EAC/GOV@EAC

Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy



Fraud Project Definition-rev 6-27.doc RECOMMENDATIONS - final2.doc Working Group Recommendations final.doc



Key Working Group Comments and Observations AND concerns final.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV

10/11/2006 05:29 PM

To Paul DeGregorio/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC  
cc Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.

001468

Hodgkins/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC  
Subject AP voter fraud story posted

**Report: Voter fraud may be overstated**

By WILL LESTER  
Associated Press Writer  
Oct 11, 4:40 PM EDT  
October 11, 2006

WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 10:32 AM

To tokaji.1@osu.edu

001469

cc

Subject today's posting

Dan,


Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you'll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV  
10/12/2006 04:26 PM

To Jeannie Layson/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov, psims@eac.gov  
Subject Re: Fw: reporter - Art Levine, Salon.com 

- A.) The "report" they refer to was a status report written by staff
- B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
- C.) the report will be available at some future time after staff has had an opportunity to review and evaluate it's contents.

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005

001470

(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

10/12/2006 04:14 PM

To twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov, ggilmour@eac.gov  
cc  
Subject Fw: reporter - Art Levine, Salon.com

See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

—— Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM ——  
Bryan Whitener/EAC/GOV

10/12/2006 04:09 PM

To Jeannie Layson/EAC/GOV@EAC  
cc  
Subject reporter - Art Levine, Salon.com

Art Levine  
Salon.com  
artslevine@yahoo.com  
202.248.9320  
deadline today or tomorrow

What exactly is the document USA Today refers to ?  
Is it a report or just a staff document ?  
Can I get full report submitted by Tova Wang ?  
If not, why not ?

001471

FYI

Google search shows this on the DLC website

[http://www.dlc.org/ndol\\_ci.cfm?kaid=139&subid=275&contentid=253439](http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439)

Art Levine  
Senior Fellow  
Progressive Policy Institute  
3003 Van Ness St. NW, Apt. W-516  
Washington, D.C. 20008  
(202) 248-9320  
artslevine@yahoo.com

Also,

### Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News  
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the \$15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



Paul DeGregorio/EAC/GOV

09/27/2006 12:36 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Last Submission from Vote Fraud-Voter Intimidation Consultants

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio  
Chairman  
US Election Assistance Commission

001472

1225 New York Ave, NW  
Suite 1100  
Washington, DC 20005  
1-866-747-1471 toll-free  
202-566-3100  
202-566-3127 (FAX)  
pdegregorio@eac.gov  
www.eac.gov

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

09/27/2006 12:18 PM

To pdegregorio@eac.gov

cc

Subject Last Submission from Vote Fraud-Voter Intimidation  
Consultants

Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims  
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 02:03 PM

To twilkey@eac.gov

cc jthompson@eac.gov, psims@eac.gov, ggilmour@eac.gov,  
klynndyson@eac.gov

Subject response to Wendy Weiser

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don't respond. We don't need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.

001476

And, I need to know who is supposed to sign this letter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brennan center letter.doc

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —

Jeannie Layson/EAC/GOV

10/12/2006 01:18 PM

To [twilkey@eac.gov](mailto:twilkey@eac.gov)

cc [klynndyson@eac.gov](mailto:klynndyson@eac.gov), [jthompson@eac.gov](mailto:jthompson@eac.gov),  
[ggilmour@eac.gov](mailto:ggilmour@eac.gov), [psims@eac.gov](mailto:psims@eac.gov)

Subject Brennan Center

Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser

001474

Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)  
[wendy.weiser@nyu.edu](mailto:wendy.weiser@nyu.edu)

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
[www.eac.gov](http://www.eac.gov)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/13/2006 04:18 PM

To Jeannie Layson/EAC/GOV@EAC

cc [twilkey@eac.gov](mailto:twilkey@eac.gov)

Subject Research Project Descriptions

Jeannie:

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don't think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC's list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption.

--- Peggy



Rev Descriptions for Web Site Descriptions of Vote Counts- Recounts and Voting Fraud Research 9-6-06.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Job Serehrov"

10/13/2006 03:26 PM

To [psims@eac.gov](mailto:psims@eac.gov), [wang@tcf.org](mailto:wang@tcf.org)

cc

001475



Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a pubic meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along.

001476

Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

09/26/2006 12:50 PM

To Thomas Wilkey

cc

Subject Fw: Preparation for Vote Fraud Conference in Utah

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy



EAC Boards VF-VI Status Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 09/26/2006 12:48 PM -----

Margaret Sims/EAC/GOV

09/25/2006 12:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov

cc Karen Lynn-Dyson/EAC/GOV@EAC

Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy



Fraud Project Definition-rev 6-27.doc RECOMMENDATIONS - final2.doc Working Group Recommendations final.doc



Key Working Group Comments and Observations AND concerns final.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----


Karen Lynn-Dyson/EAC/GOV

09/25/2006 12:39 PM

To Margaret Sims/EAC/GOV@EAC

001477

cc

Subject Re: Preparation for Vote Fraud Conference in Utah 

Many, many thanks for keeping me in the loop on this  
(I think)

:-)

Karen Lynn-Dyson  
Research Director  
U.S. Election Assistance Commission  
1225 New York Avenue , NW Suite 1100  
Washington, DC 20005  
tel:202-566-3123

001478

Margaret Sims/EAC/GOV

04/26/2007 05:24 PM

To eaccon@eac.gov

cc

bcc

Subject Vote Fraud Project

A new email you may want to add to the collection.

Peggy Sims

Election Research Specialist

U.S. Election Assistance Commission

1225 New York Ave, NW - Ste 1100

Washington, DC 20005

Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)

Fax: 202-566-3127

email: psims@eac.gov

—— Forwarded by Margaret Sims/EAC/GOV on 04/26/2007 05:22 PM ——

Margaret Sims/EAC/GOV

04/26/2007 05:14 PM

To Jeannie Layson/EAC/GOV

cc jthompson@eac.gov

Subject Re: tova 

Do we know who received her letter? I haven't seen it. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

04/26/2007 04:45 PM

To psims@eac.gov, jthompson@eac.gov

cc

Subject tova

See her press release (third item).

Jeannie Layson

U.S. Election Assistance Commission

1225 New York Ave., NW

Suite 1100

Washington, DC 20005

Phone: 202-566-3100

www.eac.gov

001479

Margaret Sims/EAC/GOV  
04/24/2007 04:27 PM

To eaccon@eac.gov  
cc  
bcc  
Subject Vote Fraud Project Emails

I think the attached emails are the ones missing from the last batch. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Margaret Sims/EAC/GOV  
02/12/2007 02:01 PM

To "Job Serebrov"  
[REDACTED]@GSAEXTERNAL  
cc  
Subject Re: 1099 [REDACTED]

Job:

The 1099 appears to be correct based on records from the Finance Office. Apparently, the amount includes all but the first two payments made to you under the contracts, based on *when* the payment was processed by GSA (see attached spreadsheet). --- Peggy



GSA List of Job Serebrov payment for Year 2006.xls

"Job Serebrov" [REDACTED]



"Job Serebrov"

[REDACTED]  
02/09/2007 06:19 PM

To psims@eac.gov  
cc  
Subject Re: 1099

All is well Peg. How are you? I added up my invoices and it should be between \$39,700 and \$47,000 with the travel check included.

Regards,

Job

--- psims@eac.gov wrote:

> Job:  
>  
> Julie just forwarded your inquiry. That figure  
> looks too high to me, too!  
> I'll check with our finance folks next Monday to

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Bryan Whitener/EAC/GOV  
03/09/2007 02:47 PM

To Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC  
cc Margaret Sims/EAC/GOV@EAC, Jeannie  
Layson/EAC/GOV@EAC  
Subject Response Requested - Fw: info request re: House  
Appropriations subcommittee hearing

All,

Please see Dan Seligson's questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we've provided it to the subcommittee?

----- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM -----



"Dan Seligson"  
<dseligson@electionline.org>

To "Bryan Whitener" <bwhitener@eac.gov>

cc

03/09/2007 02:26 PM

Subject info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,  
Dan

Daniel Seligson  
editor  
electionline.org  
1025 F St. NW Suite 900  
Washington, DC 20004  
202-552-2039

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Margaret Sims/EAC/GOV  
03/13/2007 02:31 PM

To Jeannie Layson/EAC/GOV

001481

cc ddavidson@eac.gov, jthompson@eac.gov, twilkey@eac.gov  
Subject Re: Voter ID, Fraud & Intimidation--Need your input

Looks fine to me. Of course, she is probably referring to our decision not to release the consultants' draft final report. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV  
03/13/2007 02:25 PM

To jthompson@eac.gov, twilkey@eac.gov, psims@eac.gov,  
ddavidson@eac.gov  
cc  
Subject Voter ID, Fraud & Intimidation--Need your input

Hello all,

A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,

Per your questions, go [here](#) to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go [here](#) to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found [here](#), and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a [public meeting in Dec. 2006](#).

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

001482

04/03/2007 06:22 PM

cc jthompson@eac.gov, klynndyson@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC  
Subject Re: Please review my responses

Julie has already raised the point that most concerned me: I don't think it is accurate to say the consultant's recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide "findings" because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

04/03/2007 05:33 PM

To psims@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC  
cc

Subject Please review my responses

This are questions from a "freelance" reporter who is very hot about the "Tova Wang report." Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn't make it into the fraud report. She is asking if we included all of their "findings" and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission's decision to adopt the final version based upon the initial research provided by the consultants.

4) If I'm correct on questions 2 and 3, would it be accurate to say that

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readers of the December report cannot tell how much of that report does and does not reflect the original Wang/Serebrov findings? The consultants' recommendations are their findings. All of the recommendations are included in the final report, so readers can make the determination regarding the recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me the December EAC report. I am concerned that if I had not already been researching this closely, I would have thought that you'd sent me the Wang/Serebrov report and would have reported incorrectly that you had. Does the EAC have any comment on this manner of replying to press inquiries? (I contacted you to request the report after I read in the Statesman Journal of Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission didn't widely release the consultants' review, but makes it available on request." Did the EAC indeed give Ms. Cocco a copy of the "consultants' review"? Or has she misunderstood you in the way I'm concerned about?) I sent you a link to the "EAC report" because it is what was adopted by the commission based upon the research conducted by the consultants. The final report clearly states how it was compiled and includes bios for both of the consultants. Regarding Ms. Cocco, I explained the entire process to her. I provided the staff update on the project which was presented at a public meeting in May 2006 and the final report, which is posted on the EAC website. Regarding "this manner of responding to press inquiries," I have forwarded your comments to my supervisor so he can review my performance regarding the handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov report in its original form because the EAC has to do due diligence and its staff is small. Do I understand you correctly? As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for research projects. After EAC receives the initial data, the agency reviews the data for accuracy. What form of due diligence does the EAC's staff routinely conduct on research that is contracted out to experts before that research is released? You mentioned "vetting" the research. What does that vetting entail? It depends on the project. For instance, if it is information directly related to a mandate within the Help America Vote Act (HAVA), staff will make sure that the information is consistent with the law. In addition, we often ask for input from our Standards Board and Board of Advisors, which combined consist of more than 147 members. If we are using research that will eventually become guidance, we are required by HAVA to seek the input of these boards. Go [here](#) for more information about these boards and its members. If the board members have feedback, then we must make the determination whether to incorporate it, and, if so, how to incorporate their changes. If the research is focused on election laws throughout the country, we make sure the laws are cited correctly and that state legislatures haven't changed or amended these laws since the research was conducted. (As you probably know, there have been many new election laws introduced at the state level since 2004.) Throughout the process, we review for grammar as well as make sure the document flows and is arranged logically -- the basic tenets of editing.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
[www.eac.gov](http://www.eac.gov)

001484

— Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM —

Margaret Sims/EAC/GOV

04/13/2007 05:08 PM

To Edgardo Cortes/EAC/GOV

cc

Subject Re: Working group meeting transcript

Most of the working files for this project are in a red folder sitting on my window sill; but I have some individual files in manila folders for Job and Tova propped upright on my desk next to the computer. Isn't this something that can wait until Monday? --- Peggy

Edgardo Cortes/EAC/GOV

Edgardo Cortes/EAC/GOV

04/13/2007 04:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Working group meeting transcript

Where are your working files maintained?

Margaret Sims

----- Original Message -----

**From:** Margaret Sims

**Sent:** 04/13/2007 04:27 PM EDT

**To:** Edgardo Cortes

**Subject:** Re: Working group meeting transcript

I don't maintain "official" contract files, just working copies (and I am missing a copy of one of Tova's contracts). The official files should be with the other official EAC contract files. There were 4 personal services contracts between Tova and Job. --- Peggy

Edgardo Cortes/EAC/GOV

Edgardo Cortes/EAC/GOV

04/13/2007 02:06 PM

To Margaret Sims/EAC/GOV

cc Gavin S. Gilmour/EAC/GOV@EAC

Subject Re: Working group meeting transcript

Peggy,

They are also requesting copies of the signed contracts. Where are your official contract files for that contract? Let me know where they are and I will pull them to give Gavin the copies so he can review for releasability. Thanks!

Edgardo Cortés

Election Research Specialist

001485

U.S. Election Assistance Commission  
1225 New York Ave. NW, Ste. 1100  
Washington, DC 20005  
866-747-1471 toll free  
202-566-3126 direct  
202-566-3127 fax  
ecortes@eac.gov  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

04/13/2007 01:04 PM

To Edgardo Cortes/EAC/GOV@EAC

cc Gavin S. Gilmour/EAC/GOV@EAC

Subject Re: Working group meeting transcript

There is only one transcript. In addition to the electronic copy, I have a hard copy in the file. Job Serebrov submitted one correction related to the information reported on his background, not the study. Otherwise, the transcript has NOT been reviewed for accuracy and we have not released copies to anyone but our consultants. --- Peggy

Edgardo Cortes/EAC/GOV

Edgardo Cortes/EAC/GOV

04/13/2007 12:25 PM

To Margaret Sims/EAC/GOV

cc Gavin S. Gilmour/EAC/GOV

Subject Working group meeting transcript

Peggy,

Is the transcript contained in T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Working Group the only transcript that exists for that working group? Did you ever review it for accuracy? Has it been released to anyone previously? We've had a request from Todd Rokita's office for a copy and I want to be sure we are sending the correct file. Please let us know as soon as possible. Thanks!

Edgardo Cortés  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave. NW, Ste. 1100  
Washington, DC 20005  
866-747-1471 toll free  
202-566-3126 direct  
202-566-3127 fax  
ecortes@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

001480

believe you can find it at the following link:

[attachment "20070411voters\_draft\_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV

04/17/2007 01:27 PM

To Jeannie Layson/EAC/GOV

cc Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: Vote fraud report 

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

04/17/2007 01:16 PM

To psims@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC,  
jthompson@eac.gov

cc

Subject Vote fraud report

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson

001487

U.S. Election Assistance Commission  
1225 New York Ave., NW  
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Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV

04/17/2007 03:18 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: Need emails 

Julie:

The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2007 03:07 PM -----



"Job Serebrov"

[REDACTED]

10/13/2006 03:26 PM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us

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was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a pubic meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
04/17/2007 02:58 PM

To Margaret Sims/EAC/GOV@EAC  
cc

Subject Need emails

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We

001489

need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

Juliet T. Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

—— Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ——

Margaret Sims/EAC/GOV

04/18/2007 05:40 PM

To Jeannie Layson/EAC/GOV@EAC

cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R.  
Wilkey/EAC/GOV@EAC

Subject Re: Need your help ASAP

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

*1. Why did we only contact DOJ officials regarding the accuracy of their interviews?*

As far as I know, we didn't. contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US

001490

- v. Long County, Georgia."
- Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "[c]hallenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

## *2. Exactly what did we change and why?*

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

04/18/2007 12:17 PM

To psims@eac.gov  
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R.  
Wilkey/EAC/GOV@EAC  
Subject Need your help ASAP

001491

Peg,

If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV

04/19/2007 08:53 AM

To Jeannie Layson/EAC/GOV@EAC

cc Juliet E. Hodgkins/EAC/GOV@EAC, Karen  
Lynn-Dyson/EAC/GOV@EAC

Subject Correction to Cost of Vote Fraud Contracts

FYI - I noticed that some newsclips are saying we spent \$100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost \$75,000 (not including funds set aside for related travel), so the total between them would have been closer to \$150,000. If anyone needs to know the added travel costs, Wang spent about \$4,500 and Serebrov \$1,200 over the course of the 2 contracts.

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email: psims@eac.gov

001432

Margaret Sims/EAC/GOV  
04/24/2007 03:57 PM

To eacon@eac.gov  
cc  
bcc  
Subject Voter Fraud Project Emails

Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

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email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----



"Tova Wang"  
<wang@tcf.org>

08/21/2006 12:16 PM

To psims@eac.gov  
cc  
Subject call

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow  
**The Century Foundation**  
1333 H Street, NW, Washington, D.C. 20037

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 06:42 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Job and Tova

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001493

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----

Margaret Sims/EAC/GOV

11/03/2006 07:11 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

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If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/03/2006 07:14 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

001494

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Sent from my BlackBerry Wireless Handheld  
Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:11 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

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11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/03/2006 07:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

001495

Subject Re: Job and Tova 

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-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:38 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

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Sent from my BlackBerry Wireless Handheld

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**Sent:** 11/03/2006 06:14 PM  
**To:** Margaret Sims  
**Subject:** Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Margaret Sims/EAC/GOV

11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

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EAC-Learned from Lit Review 11-6-06.doc EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

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Sent from my BlackBerry Wireless Handheld

001497

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:38 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

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**Sent:** 11/03/2006 06:14 PM  
**To:** Margaret Sims  
**Subject:** Re: Job and Tova

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11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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001499

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/06/2006 11:50 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

sorry, about that. Here's the outline...

I. BACKGROUND/INTRODUCTION

- A. WHAT WE KNOW ABOUT FRAUD
- B. PURPOSE OF THE EAC STUDY
- C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES

- A. VOTER FRAUD IS TOO LIMITED
- B. COLLOQUIAL DEFINITION IS TOO BROAD
- C. ELECTION CRIMES
- D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES

- A. ACCEPTED RECOMMENDATIONS
  - i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
  - ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
  - iii. REVIEW DOJ/USA ACTIONS
- B. REJECTED RECOMMENDATIONS
  - i. REASONS WHY REJECTED

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005

001499

(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

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Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

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**From:** Juliet E. Hodgkins

**Sent:** 11/03/2006 06:14 PM

**To:** Margaret Sims

**Subject:** Re: Job and Tova

001500

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Margaret Sims

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**From:** Margaret Sims

**Sent:** 11/03/2006 06:11 PM

**To:** Juliet Hodgkins

**Subject:** Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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General Counsel

United States Election Assistance Commission

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Washington, DC 20005

(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Margaret Sims/EAC/GOV

11/06/2006 12:21 PM

To Juliet E. Hodgkins/EAC/GOV

cc

001501

Subject Re: VF\_VI Literature Review

Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV

11/06/2006 12:30 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.

Juliet Thompson Hodgkins

General Counsel

United States Election Assistance Commission

1225 New York Ave., NW, Ste 1100

Washington, DC 20005

(202) 566-3100

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

11/06/2006 12:21 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review

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Juliet E. Hodgkins/EAC/GOV

11/06/2006 05:18 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review

Peggy,

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Juliet Thompson Hodgkins

001502

General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
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(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

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Juliet E. Hodgkins/EAC/GOV

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11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

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Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

----- Original Message -----

**From:** Juliet E. Hodgkins

001500

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11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

001506

Margaret Sims/EAC/GOV

11/06/2006 06:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review

Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/06/2006 05:18 PM

To Margaret Sims/EAC/GOV@EAC

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Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

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001505

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EAC Lit Review Notes 11-5-06.doc

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11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC

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Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:11 PM

001506

Subject VF and VI study

Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Margaret Sims/EAC/GOV

11/07/2006 09:45 AM

To Juliet E. Hodgkins/EAC/GOV

cc

Subject Re: VF and VI study 

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/07/2006 09:33 AM

To Margaret Sims/EAC/GOV@EAC

cc

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Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

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11/07/2006 09:47 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF and VI study 

that would be great. I am also interested in identifying the points of contention between DOJ and the

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